

Amendment under 37 C.F.R. § 1.111  
USSN 10/072,951

**REMARKS**

Claim 2 has been amended so that it is in independent form. The claims have been amended to make editorial changes and correct inadvertent errors without changing the scope thereof.

Entry of the above amendments is respectfully requested.

**Anticipation Rejection over Kawasumi et al**

The Examiner has rejected claim 1 under 35 U. S.C. 102(b) as being anticipated by Kawasumi et al.

In response, Applicants note that claim 1 recites a specific sequence of four steps, which include two electrolytic surface-roughening steps and a desmutting step having several claimed ranges.

In contrast, Kawasumi does not teach the claimed specific sequence. Furthermore, contrary to the Examiner's characterization thereof, Kawasumi does not teach that there is a second electrolytic roughening step, nor does Kawasumi teach the ranges claimed for the desmutting step.

Thus, Kawasumi fails to anticipate the claimed invention and does not even suggest the claimed invention. Accordingly, withdrawal of this rejection is respectfully requested.

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**Anticipation Rejection over Nishino et al '605**

The Examiner has rejected claims 1, 8, 13, and 14 under 35 U.S.C. 102(b) as being anticipated by Nishino et al '605.

In response, Applicants submit that the Nishino '605 reference at least does not teach (1) the claimed order for the desmutting step, which is performed before the second electrolytic surface-roughening step, and (2) the criticality of employing hydrochloric acid in the first surface-roughening step and nitric acid in the second surface-roughening step.

The Nishino '605 reference teaches a first electrochemical surface-roughening treatment, an etching treatment, and a second electrochemical surface-roughening treatment, which "should be applied to the aluminum support in the stated order" (column 3, lines 20-26). The Nishino '605 reference at Example 1 further teaches a step—apparently performed subsequent to the second electrochemical surface-roughening treatment—for removing smut by immersion in sulfuric acid solution.

The Nishino '605 reference does not teach the use of both an alkali-etching step and a sulfuric acid desmutting step, which treatment is carried out before the second electrochemical surface-roughening treatment, and it does not teach that the desmutting step is performed prior to the second surface-roughening step, as claimed. Also, the Nishino '605 reference teaches that the second electrochemical surface-roughening treatment is a repetition of the first one, particularly with regard to the type of acid employed (column 3, lines 18-20 and 27-29; Example 1; claim 1).

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Applicants wish to stress that the second electrochemical surface-roughening treatment is a repetition of the first one in the method of producing an aluminum support for a printing plate as disclosed in Nichino et al '605.

Nishino et al '605 only discloses an aluminum support producing method comprising a set of three consecutive processes, i.e., "electrochemical surface-roughening treatment," "etching treatment" and "electrochemical surface-roughening treatment," in which the second electrochemical surface-roughening treatment is simply a repetition of the first one (column 3, lines 21-26 of Nishino et al '605).

Nishino et al '605 allows the electrochemical surface-roughening treatment to "be carried out many times" (column 3, lines 19-20 of Nishino et al '605). However, a method resulting therefrom would simply be the alternate repetition like "surface-roughening" → "etching" → "surface-roughening" → "etching" → "surface-roughening." This alternate repetition of two processes is clearly different from the consecutive processes (a)-(d) of claim 1 of the present application in which the step (c) is not an etching process but a desmutting process using sulfuric acid.

Although Example 1 of Nishino et al '605 mentions a desmutting process with sulfuric acid, this desmutting process of Nichino is not prior to the second surface-roughening step, but rather is carried out after the second surface-roughening step. In this respect, the method of present claim 1 is clearly different from that of Nishino.

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Thus, the Nishino '605 reference fails to anticipate the claimed invention and does not even suggest the claimed invention. Accordingly, withdrawal of this rejection is respectfully requested.

#### **Allowable Subject Matter**

The Examiner has allowed claims 15-29.

The Examiner has objected to claims 2-7 and 9-12 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for allowing claims 15-29 and for indicating that claims 2-7 and 9-12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have rewritten claim 2 in independent form including all of the limitations of the base claim (there are no intervening claims), so amended claim 2 should be allowed. Further, Applicants submit that based on the above remarks, all of the claims should be allowed.

#### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

*Bruce E. Kramer*  
*Kathleen A. Asher* / *Bruce E. Kramer*  
Reg. No. 33,725

Kathleen A. Asher  
Registration No. 43,194

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

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Reg. No. 33,725

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